

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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GIVAUDAN FRAGRANCES  
CORPORATION,

Plaintiff,

v.

JAMES KRIVDA,

Defendant

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Civil Action No. 08-cv-4409 (PGS)

**ORDER**

This matter having come before the court on Plaintiff, Givaudan Frangrance Corporation's motion to dismiss Defendant, James Krivda's counterclaim pursuant to Fed. R. Civ. P. 12(b)(6), and the Court having considered the submissions of the parties, and for the reasons set forth in the Opinion of this date,

IT IS on this 18<sup>th</sup> day of September, 2009

ORDERED, that the motion to dismiss Defendant's counterclaim is granted.

*s/Peter G. Sheridan*  
PETER G. SHERIDAN, U.S.D.J.

September 18, 2009